

United States District Court
For The District of Boston Mass.
Case No. _____

United States of America
VS
Joseph Marion Head
Respondent

Motion For Appointment
of Counsel For All Matters,
Etc. And For All Appeals
Authorized By Law.

Comes now, Joseph Marion Head Junior, 17549-056,
respondent in the above entitled cause, movant
herein, who prose respectfully move for
appointment of counsel for all matters relating
to the above entitled cause to include all
appeals authorized by law.

Signed, Joseph Marion Head Junior, 17549-056
14-19-04 N-1 Cell 425, F.M.C. Doreen, Mass.
Post office Box 877
Agassiz, Mass. 01432

The Court will have to make and serve
all required copies of this motion.

Movant does not have funds to do so
with, himself.

Joseph Marion Head Junior 17549-056
14-19-04

RESPONSE TO INMATE REQUEST TO STAFF MEMBER

Head, Joseph
Reg. No. 17549-056
N-1 Unit

*Complaint and appeal of Inmate Head,
Appeals To U.S. Fed. D. Ct., District
Boston, Massachusetts*

This is in response to your Inmate Request to Staff, directed to my attention and received in my office on March 1, 2004, wherein you request I file complaints on your behalf with the Inter-American Commission on Human Rights. Within your request, you provided me with 7 pages of forms to complete and submit on your behalf to the Commission, after I have obtained and read all you court and prison records.

As I am an Attorney for the Bureau of Prison, I do not provide legal assistance to inmates working on their legal matters. If you seek legal assistance in completing legal forms or when preparing your court filings or appeals, the BOP staff does not assist in that manner. You should contact the Court, your trial counsel, your appointed counsel, or the Clerk of Courts to assist you in contacting a Public Defender's Office.

I trust this answer is responsive to your request.

P. Ward
P. Ward, Attorney

3/1/04
Date

*Joseph Marion Head Junior 17549-056 (VS)
Fed. B. & P. and U.S.A. and Fed. Med. Center, Doreys,
P. Ward, Attorney, 18 U.S.C. 1201 and
42 U.S.C. 1983, 1984, 1985, 1331, 1341,
1342, 1343, 28 U.S.C. 2201, 2202,
Rule 57 Fed. R. Civ. Proc., 18 U.S.C.
1201. One Billion Dollars Tax Free
and Lawful Court Release Demanded
For Joseph Marion Head Junior 17549-056
Himself, Pro Se. (Smith, 28, Bounds)*

*Tip Code 02210-3002
Date of Appeal 3-5-04*

NORTH CAROLINA PRISONER LEGAL SERVICES, INC.

Michael S. Hamden
Executive Director

James W. Carter
Assistant Director

Post Office Box 25397
Raleigh, North Carolina 27611
224 South Dawson Street
(919) 856-2200
Facsimile Transmission (919) 856-2223

April 12, 2004

Ken Butler
Elizabeth ColemanGray
Letitia C. Echols
Richard E. Giroux
J. Phillip Griffin
James L. Griffin
Elizabeth Hambourger
Kari L. Hamel
Eleanor G. Kinnaird
Kristin D. Parks
Susan H. Pollitt
Elizabeth Raghunanan
Linda B. Weisel
Staff Attorneys

Mr. Joseph M. Head
Prison No. 17549-056
Post Office Box 879
Ayers, MA 01432

Dear Joseph Head:

Our office has recently received your letter in which you sought legal assistance. Unfortunately, we are not able to assist you at this time.

NCPLS receives its primary funding from the North Carolina Department of Correction to provide legal advice and assistance to inmates in the custody of the NCDOC. This enables the NCDOC to fulfill its constitutional obligation to provide its inmates with their right of access to the courts. Under this contract, our office reviews claims and offers legal advice and assistance to North Carolina prison inmates concerning challenges to their convictions or sentences, as well as to the conditions of their confinement. There are no law libraries in North Carolina prisons and, for most inmates, NCPLS is the sole source of legal assistance in these areas. In addition to our work with the NCDOC, we receive a limited amount of funding to operate the North Carolina Safe and Humane Jails Project. Under this program, we offer limited assistance to people confined in North Carolina county jails.

We are not funded, under either of these programs, to provide assistance to inmates who are *not* in either a NCDOC facility or a North Carolina county jail. There are approximately 34,000 inmates in North Carolina prisons, and about 14,000 in county jails. We simply do not have the resources to provide free legal services to the thousands of inmates confined by other jurisdictions.

We regret that we cannot offer the assistance you requested, but we wish you the best of luck.

Sincerely,

N.C. Prisoner Legal Services, Inc.

APPENDIX

COMPLAINT FORM

Complaints should be drafted in a simple and straightforward manner, free of political rhetoric.

Petitions addressed to the Commission shall include:

- the name, nationality, profession or occupation, postal address, or domicile and signature of the person or persons making the denunciation; or in cases where the petitioner is a nongovernmental entity, its legal domicile or postal address, and the name and signature of its legal representative or representatives;
- an account of the act or situation that is denounced, specifying the place and date of the alleged violations and, if possible, the name of the victims of such violations as well as that of any official that might have been appraised of the act or situation that was denounced;
- an indication of the state in question which the petitioner considers responsible, by commission or omission, for the violation of a human right recognized in the American Convention on Human Rights in the case of States Parties thereto, even if no specific reference is made to the article alleged to have been violated;
- information on whether the remedies under domestic law have been exhausted or whether it has been impossible to do so.

VICTIM

Name:.....
Age:
Nationality:
I.D. N°:
Marital status.....
Occupation:
Address:
City, Province, State:
Country:.....
Telephone:
Number of children:

GOVERNMENT ACCUSED OF VIOLATION

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ALLEGED HUMAN RIGHTS VIOLATION. (Explain what happened in as great a factual detail as possible, specifying place and date of the violation)

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IACHR HANDBOOK

**THE ARTICLE(S) OF THE DECLARATION OR CONVENTION
THAT HAVE BEEN VIOLATED**

**NAMES AND TITLES OF PERSONS (AUTHORITIES) WHO
COMMITTED THE VIOLATION**

WITNESSES TO THE VIOLATION (Include addresses and
telephone numbers of witnesses)

DOCUMENTS/PROOFS (for example, letters, legal
documents, photos, autopsies, tape recordings, etc.)

DOMESTIC LEGAL REMEDIES PURSUED (e.g. copies of writs
of Habeas Corpus or Amparo)

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DOMESTIC LEGAL REMEDIES YET TO BE PURSUED

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Complainant:

Date:

Place:

Address:

City/State:

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Telephone:

Signature:

Legal Representative if any:

Shelby County v. Holder

IACHR HANDBOOK

PROTECTED RIGHTS

The American Convention on Human Rights protects the following civil and political rights and freedoms:

- ✓ The right to juridical personality (to be recognized as a person before the law).
- ✓ The right to life.
- ✓ The right to humane treatment, including the right not to be subjected to cruel, inhuman, or degrading punishment or treatment.
- ✓ Freedom from slavery.
- ✓ The right to personal liberty.
- ✓ The right to a fair trial by a competent tribunal.
- ✓ Freedom from ex post facto laws.
- ✓ The right to compensation in the case of sentencing by a final judgment through a miscarriage of justice.
- ✓ The right to privacy.

- ✓ Freedom of conscience and religion.
- ✓ Freedom of thought and expression.
- ✓ The right to reply or to make a correction to inaccurate or offensive statements.
- ✓ The right of assembly.
- ✓ Freedom of association.
- ✓ Rights of the family.
- ✓ The right to a name.
- ✓ Rights of the child.
- ✓ The right to nationality.
- ✓ The right to property.
- ✓ Freedom of movement and residence.
- ✓ The right to participate in government.
- ✓ The right to equal protection of the law.
- ✓ The right to judicial protection against acts that violate fundamental rights.

Instructions

The form should be filled in as completely as possible and include all of the information available regarding the particular situation that is alleged to constitute one or more violations of human rights by an OAS member state.¹ The wording of the responses should be simple and direct, without political rhetoric. Where the information requested is not available or does not apply you should indicate "information not available" or "not applicable" as appropriate.

In cases where the life or physical integrity of a person or group of persons is in imminent danger despite having approached appropriate domestic authorities, you may submit the pertinent information to the Commission even if information concerning the exhaustion of domestic remedies is not currently available.

Once completed, the form can be presented to the Executive Secretariat of the Commission by mail to:

Inter-American Commission on Human Rights
1889 F Street, N. W.
Washington, D.C. 20006
USA

by fax at the number (202) 458-3992, or by e-mail at cidhoea@oas.org.

FORM

I. PERSON OR GROUP OF PERSONS PRESENTING THE PETITION ON VIOLATIONS ALLEGEDLY COMMITTED AGAINST THEM ("VICTIM(S)") OR COMMITTED AGAINST ANOTHER PERSON OR GROUP OF PERSONS ("PETITIONER(S)")

Name:

(in the case of a nongovernmental entity also include the name of its legal or non-legal representative(s))

Contact information

Address:

¹ The member states of the OAS are Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Lucia, Saint Vincent and the Grenadines, St. Kitts and Nevis, Suriname, Trinidad and Tobago, United States, Uruguay and Venezuela.

Telephone num

Fax number:

Do you want
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VIOLATI**

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III. INCIDENTExplain the in
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Dominican
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Telephone number:
Fax number:

Do you want the Commission to keep the identity of the petitioner(s)
confidential during the procedure?

**II. MEMBER STATE OF THE OAS RESPONSIBLE FOR THE HUMAN RIGHTS
VIOLATIONS ALLEGED BY THE PETITIONER(S):**

III. INCIDENT OR SITUATION DENOUNCED

Explain the incident or situation complained of in as much detail as possible,
specifying the place and date of the alleged human rights violations:

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Available evidence

Describe the documents that might assist in proving the violations described
above and that can be provided to the Commission, for example portions of
judicial procedures, forensic reports, photographs, films, etc. (Do not submit
the original documents but rather copies. In principle it is not necessary for
copies of documents to be certified by a public official or notary public):.....

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Identify witnesses to the violations described above. In the event that witnesses have given statements or depositions before judicial authorities, you should also file copies of this testimony or indicate whether it will be possible to do so in the future:

Identify the persons and/or authorities responsible for the alleged violations described above:

IV. HUMAN RIGHTS VIOLATED (Where possible, specify the provisions of the American Convention and other applicable instruments that you consider to have been violated as a result of the situation described above):

V. NAME AND DETAILS OF THE PERSON OR PERSONS AFFECTED BY THE HUMAN RIGHTS VIOLATIONS ALLEGED ABOVE, IN THE EVENT THAT THEY ARE DISTINCT FROM THE PERSON OR PERSONS PRESENTING THE PETITION (see point I):

Name:

Contact information

Address:

Telephone:

Fax number:

Where the victim is no longer alive, please identify their next-of-kin:.....

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**VI. JUDICIAL REMEDIES AVAILABLE TO REMEDY THE SITUATION
DENOUNCED**

Detail the steps taken by the victim(s) or the petitioner(s) before the courts, tribunals or administrative authorities of the country responsible for the alleged violations. Also indicate whether you have not been able to initiate or complete such steps because (1) the domestic legislation of the State does not provide due process of law for the protection of the right or rights that have allegedly been violated; (2) the victim(s) or petitioner(s) have been denied access to the remedies under domestic law or have been prevented from exhausting them; or (3) there has been unreasonable delay in rendering a final judgment on the remedies described above:

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In cases where the situation denounced involves crimes or other violations of public law (e.g. murder, torture), indicate whether there has been a corresponding judicial investigation and the result, or whether there has been an unreasonable delay in rendering a result in such an investigation:

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In cases where domestic remedies have been exhausted, indicate the date on which the victim was notified of the final decision:

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VII. INDICATE WHETHER THE COMPLAINT HAS BEEN SUBMITTED TO THE UNITED NATIONS HUMAN RIGHTS COMMITTEE OR ANOTHER INTERNATIONAL ORGANIZATION WITH SIMILAR CHARACTERISTICS:

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SIGNATURE:.....

DATE:.....